

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*
State Engineer

Plaintiff,

vs.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-BB

RIO CHAMA STREAM SYSTEM
Section 7: Rito de Tierra Amarilla,
Rio Brazos, Rutheron & Plaza Blanca,
Cañones Creek, Village of Chama

MOTION FOR DEFAULT JUDGMENT

COMES NOW the plaintiff State of New Mexico, *ex rel.* State Engineer and moves the Court to enter its order granting default judgment against the following defendants:

Salvador G. Velazquez	CHRB-007-0060
Penelope A. Velazquez	CHRB-007-0060
Tommy F. Valdez, Jr.	CHCV-002-0012
Margaret Valdez	CHCV-002-0012
Kathleen M. Fischer	CHCV-002-0043
Andrew Hurd	CHCV-003-0029B
Daniel Hurd	CHCV-003-0029B
HeimoTrathnigg	CHTA-003-0026
Whitney Durell	CHRB-007-0027A

and as grounds therefore plaintiff states:

1. The defendants named above are in default for failure to appear, answer, or otherwise

defend in this cause, as shown by the Clerk's Certificate of Default filed August 2, 2007 (Doc. No. 8748), and the Clerk's Certificate of Default filed October 2, 2006 (Doc. No. 8400).

WHEREFORE, the plaintiff State of New Mexico requests the Court to enter its order granting default judgment against the above-named defendants incorporating the terms of the State's proposed consent orders and in conformance with the Office of the State Engineer Hydrographic Surveys for Section 7 of the Rio Chama Stream, as amended.

Respectfully submitted,

/s/ Ed Newville

EDWARD G. NEWVILLE
Special Assistant Attorney General
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P.O. Box 25102
Santa Fe, NM 87504-5102
(505) 867-7444

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 28 day of August, 2007 I filed the foregoing electronically through the CM/ECF system which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served via electronic mail, and served the following non-CM-ECF participants in the manner indicated:

via first class mail, postage prepaid addressed as follows:

Salvador G. Velazquez
Penelope A. Velazquez
P.O. Box 315
Los Ojos, NM 87551

Tommy F. Valdez, Jr.
Margaret Valdez
P.O. Box 1181
Cortez, CO 81321

Kathleen M. Fischer
7672 Calle Milan

Highland, CA 92346

Andrew Hurd
P.O. Box 745
Chama, NM 87520

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Whitney Durell
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/s/ Ed Newville
EDWARD G. NEWVILLE